

which the title thereto shall prove insufficient to warrant the selection of such lands as aforesaid, shall bear to the entire number of acres relinquished to the United States as aforesaid, but in no event shall the amount of damages which said second party shall be entitled to receive, exceed the consideration herein expressed, to-wit: Three hundred and twenty (\$320.00) Dollars, with interest thereon at the rate of five per cent per annum from the date of payment.

It is further agreed by the parties hereto that if any part of the selection of such lands made as aforesaid under the direction of said second party and described and conveyed herein, shall not be approved by the United States for Patent for any reason whatsoever, then the said second party shall within a reasonable time after such failure of approval, designate other selections there in lieu thereof, and said first party shall thereupon make such selections and after approval thereof by the United States, convey all its right, title and interest in the same to said second party, her heirs and assigns, subject to the covenants herein contained.

In Witness Whereof, The said Santa Fe Pacific Railroad Company, party of the first part, has caused this deed to be signed by O. P. M. Jamison, its attorney in fact, the day and year first above written.

Signed, sealed and delivered in presence of

A. Perichman

J. A. Fisher

Witness

Santa Fe Pacific Railroad Company

by O. P. M. Jamison

its attorney in fact

State of Washington

County of Stanislaus

Do hereby certify, That on the 29th day of March A.D. 1906, before me the undersigned Authority, personally appeared the within named Santa Fe Pacific Railroad Company, a corporation, by O. P. M. Jamison, its duly authorized attorney in fact, he being known to me to be the identical person described in and who executed the within instrument, for and on behalf of said corporation, and said O. P. M. Jamison then and there acknowledged that he did, as such attorney, execute the within instrument as and for the act and deed of said Santa Fe Pacific Railroad Company, and that said O. P. M. Jamison, as such attorney, signed the name of said Company to the within instrument under the authority as herein vested by said power of attorney.

In Witness Whereof, I have hereunto set my hand and official seal on this the day and date certificate herein above named.

My hand

Seal

A. Perichman, Clerk of Superior Court
Stanislaus County, Wash.

Filed for record by O. P. M. Jamison on March 29, 1906 at 1.15 P.M.

A. Perichman

Co. Auditor

1.80
v